

Application No. 10/053,096  
Amendment Dated August 03, 2005  
Reply to Office Action of July 25, 2005

**REMARKS/ARGUMENTS:**

Claims 1, 3-9, 11 and 14-20 remaining pending. Claim 3 is made independent. The subject matter of claims 2 and 10 are incorporated into claim 1. Claims 1 and 11 were further amended. Claim 11 refers to speaker instead of piezo electric element in view of the disclosure on page 7 last line to page 8 line 4. New claim 21 is added that generally corresponds to claim 9. New claims 22 and 23 were added based on balloon 50 in the specification. Since three dependent claims were canceled and three new dependent claims were added, no total excess claim fees are due. In view of the cancellation of one independent claim and the formation of one new independent claim, no excess independent claim fees are due.

Claims 1, 2, 8, 9 and 11-13 were rejected under 35 U.S.C. 102(b) as anticipated by Park et al. (US Patent No. 5,309,519). In view of the present amendment, the rejection is traversed.

Claim 1 is amended into a composite of claims 1, 2 and 10. As such, the rejection over Park is obviated. Likewise, claim 11 is composite of claims 11, 2 and 11, except that piezo electric element is changed to speaker. The rejection of claim 11 under 35 U.S.C. 102(b) is likewise overcome. While claim 1 recites that a cavity is between the inflatable object and the piezo electric element, claim 11 recites that that the amplification device is arranged to space the speaker from the inflatable object.

As concerns the rejection of claim 9, the hole 1116 in Park is in the poster 1110 as opposed to what the examiner considers to be a counterpart to the piezo amplification device, i.e., mounting member 1120 of Park. Thus, such a concept of a hole in the piezo amplification device is patentable in its own right.

Claim 10 was rejected under 35 U.S.C. 103 as being unpatentable over Park as applied to claim 1. This rejection is traversed.

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Claims 1 and 11 recite that the sound resonates off the walls of the balloon. Such an acoustic effect is beyond what would be obvious to a skilled artisan upon review of the Park patent, even though Park mentions that the sound output is greater when mounted on Mylar® and even though Mylar® is also commonly used in balloons. The concept of resonance is lacking in Park.

Claims 14-20 are allowed. Claim 3 was amended into independent form with the subject matter of original claim 1, except that recitations to top and bottom have been omitted. Nevertheless, the subject matter of claims 3-7 is believed to be allowable and their objection is now overcome.

**CORRESPONDENCE AND FEES:**

In the event that there are fees necessitated by this response, authorization is hereby given to charge Deposit Account No. 03-3839. Please address all correspondence to Intellectual Property Docket Administrator, Gibbons, Del Deo, Dolan, Griffinger & Vecchione, One Riverfront Plaza, Newark, NJ 07102-5497. Should there be any questions or other matters that may be resolved by a telephone call, the Examiner is invited to contact the applicants' undersigned attorney at the number below. Any communications should be sent directly to him at the number below.

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Respectfully submitted,

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